

**UNITED STATES BANKRUPTCY COURT  
MIDDLE DISTRICT OF NORTH CAROLINA  
OFFICE OF THE CLERK  
101 S. EDGEWORTH ST.  
GREENSBORO, NORTH CAROLINA 27420-6100**

Reid Wilcox  
Clerk of Court

Telephone: (336)358-4000

**M E M O R A N D U M**

TO: Attorney for Debtor

FROM: Bankruptcy Clerks Office

DATE: 3/19/2015

RE: **Post Confirmation Procedures**

CASE NO: 14-81035

CASE NAME: Woodlake Partners, LLC

Please note that the following procedures and time periods are to be observed in the post confirmation actions below:

**Objections to Claims.** The debtor is to file any objection to claims on or before the date provided in the Confirmed Plan. Please see attachment regarding procedures for filing and noticing of objections.

**Applications for Final Compensation.** All parties seeking final compensation for services rendered are to file his/her application for final compensation with the Court within sixty (60) days after the entry of the order confirming plan. The confirmation order was entered in this case on 3/19/2015. The application should indicate if there will be further services rendered **and, if so, the approximate number of hours for future services and the purpose of the additional time**. The application should request authority to file supplemental applications for these future services.

**Supplemental Fee Applications.** In most Chapter 11 cases the services of professionals should be substantially completed when the case is confirmed. If it is necessary for a professional to request approval of supplemental fees, supplemental fee applications should be filed and processed in accordance with the usual Chapter 11 interim fee application practices - except that these supplemental applications are to be submitted and noticed at the "final" hourly rate fixed by the Court in the order allowing final compensation to the applicant.

**Order Approving Final Compensation.** After the hearing is held on the final fee applications, the applicant is to prepare the Order approving the compensation as directed by the Court. If the Court has authorized the filing of supplemental applications, this language must be included in the Order.

**Consummation Status Report.** The debtor shall file an initial status report with the Court within sixty (60) days of this memorandum. The report must contain the information set forth on

Exhibit One to this memorandum. Unless otherwise ordered by the Court, until a Final Report is filed, the debtor shall file quarterly status reports beginning ninety (90) days after the filing of the initial report. It shall reflect any progress made in consummating the plan during the period covered by the report and as set forth on Exhibit One attached. **Failure** to comply with this requirement will result in the Bankruptcy Administrator objecting to the allowance of any further applications for compensation by counsel for the debtor (or trustee, if applicable) and motion by the Bankruptcy Administrator for conversion of the case to Chapter 7 for failure to consummate the plan and failure to comply with the requirements of this memo.

**Final Report.** The attorney for the debtor is required to file a Final Report with the Court within ten (10) days from the finalization of **all** matters in the case, including hearing on application for final fees and approval of any supplemental final fees. This must be filed in order for a final decree to be entered by the Court which would close the case. The final report must contain the information set forth on Exhibit One to this memorandum.

**Final Decree.** When the Final Report is filed with the Clerks Office, it will be reviewed and audited. The Court will then enter a Final Decree **ex parte** which closes the case.

**A copy of this memorandum is required to be served** by the attorney for the debtor in possession on any party who the attorney for the debtor in possession anticipates will file a final fee application. Any questions regarding the above information or the filing of the required documents may be directed to the Chapter 11 Deputy Clerks in the Bankruptcy Clerks Office.

OFFICE OF THE CLERK

BY: Derek R. Martin  
DEPUTY CLERK

## **Exhibit One**

### **Information to be contained in Consummation Status Report**

1. The amounts due to each creditor as provided in the plan with specific emphasis on claims which were to be but may not have been paid pursuant to the plan.
2. The amount of each claim not paid and the reason for not paying same.
3. Denote whether or not the plan has been substantially consummated and if not, why not, and when substantial consummation is expected to occur.
4. What remains to be done and when it can be expected to be done before a Final Report can be filed.
5. Projected date for filing the Final Report.

### **Information to be Contained in Final Report**

1. All professional fees broken down into fees and expenses.
  - a. Attorney for Debtor-in-possession (and debtor)
  - b. Consultants
  - c. Examiners
  - d. Real Estate Brokers
  - e. Auctioneers
  - f. Creditors Committee Attorney(s)
  - g. 506(b) Fees
  - h. Trustee, if one
  - i. Attorney for Trustee, if one
  - j. etc.
2. Percent dividend to be paid to unsecured creditors, if known.
3. Total amount of all court costs (noticing fees, etc.)
4. Report should also contain breakdown of creditors by classes, per confirmed plan, a description of each and how it was paid or is being paid.

## PROCEDURE FOR FILING/NOTICING OF OBJECTIONS TO CLAIMS

1. Simultaneously with the filing of objections to claims, the attorney for the debtor/trustee is to send to the Clerks Office a "Notice of Objection to Claim(s)" (blank form attached). The Chapter 11 Deputy will complete the response and hearing dates, locations, etc. section of the form and will return the Notice form to the attorney.
2. The attorney for the debtor/trustee will send the completed "Notice of Objection to Claim(s)" form, along with a copy of the Objection to Claim to each creditor whose claim is being objected to. The attorney will then file with the Clerks Office a Certificate of Service indicating the mailing of these documents and listing the names and addresses of the parties served.
3. The Notice provides the affected claimants 15 days to respond to the Objection to Claim(s), and sets a hearing date at least 30 days from the date of the Notice with a notation that the hearing will be held **only in the event of a timely filed response to the objection.** The notice also urges the claimant to contact the attorney for the debtor/trustee if additional information can be furnished to resolve the dispute, in the hope that an agreement can be reached, thereby precluding a hearing.
4. If a response is not filed to the objection, the attorney for the debtor/trustee may submit an Order for the Court to consider for these claims. If a response is filed and a hearing held, a separate order should be submitted for those objections.

**UNITED STATES BANKRUPTCY COURT  
MIDDLE DISTRICT OF NORTH CAROLINA**

IN RE:

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Case Number:

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Debtor )

**NOTICE OF OBJECTIONS TO CLAIMS**

Take notice that the Unsecured Creditors' Committee has filed certain objections to claims in the above named case. Any party desiring to respond to this objection **MUST FILE A WRITTEN RESPONSE** with the Court at the address given below, as well as serve a copy of the response on the Attorney for the Unsecured Creditors' Committee, whose name and address appears on the Objection to Claim, on or before the \_\_\_\_\_ day of \_\_\_\_\_, 2013.

Take further notice that if a timely filed response is filed to the Unsecured Creditors' Committee's objection, a hearing will be held before the Court on the day of \_\_\_\_\_, 2013, at \_\_\_\_\_ .m. in the . Again, a hearing will be held only in the event that a response is timely filed. If no response is filed, an Order will be entered allowing the Unsecured Creditors' Committee's objection.

Claimants are urged to contact the Attorney for the Unsecured Creditors' Committee if additional information can be furnished to resolve any dispute concerning the allowance of claims.

The claim being objected to by the Unsecured Creditors' Committee is set forth below:

<u><b>Claim No.</b></u>	<u><b>Claimant</b></u>	<u><b>Amount of Claim</b></u>
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OFFICE OF THE CLERK

Date: \_\_\_\_\_

BY:

\_\_\_\_\_  
DEPUTY CLERK